

Exhibit A

BY /s/Sheila W Echols
Deputy Clerk

E-filed in the Office
Clerk of State Court
11/4/2020 3:12 PM
Coweta County, GA
Sheila Echols, Clerk

**IN THE STATE COURT OF COWETA COUNTY
STATE OF GEORGIA**

LINDA E. TOLBERT,
Plaintiff,

vs.

PUBLIX SUPER MARKETS, INC.,
Defendant.

CIVIL ACTION
FILE NO. 20SV0424E

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff LINDA E. TOLBERT, by and through her counsel of record,
and states the following cause of action:

1.

Defendant PUBLIX SUPER MARKETS, INC. (hereinafter "Publix") is a foreign profit corporation existing under the laws of the State of Florida, and whose principal office is located at 3300 Publix Corporate Parkway, Lakeland FL 33811.

2.

At all times relevant to this action, Publix owned and/or operated the Publix Super Market at Stillwood Pavillion, located on Lower Fayetteville Road, Newnan, Coweta County, Georgia, where Plaintiff LINDA E. TOLBERT fell and sustained the injuries which form the basis of this action.

3

Defendant may be served with a copy of this Summons and Complaint by and through its Registered Agent, Corporate Creations Network Inc, 2985 Gordy Pkwy, 1st Floor, Marietta, Cobb County, Georgia.

4.

Defendant is subject to the jurisdiction of this Court. Venue is appropriate in the

County State Court.

5.

On or about December 20, 2018, Plaintiff LINDA E. TOLBERT was a patron at Publix Super Market at Stillwood Pavillion, located on Lower Fayetteville Road, Newnan, Coweta County, Georgia. As the Plaintiff was walking in the store near the deli, she slipped and fell on a substance that was present on the floor.

6.

Because Plaintiff was a customer in Defendant's store, Defendant had a duty to exercise reasonable care to protect Plaintiff from injury on the premises. Defendant's duty included the duty to make reasonable inspections to discover hazardous conditions on the premises and to take reasonable steps to protect Plaintiff from such conditions.

7.

Defendant, at all times material, was negligent in that Defendant owed Plaintiff and other patrons a duty of care to place barricades, slippery floor signs or other warning devices to show that the floor was slippery or wet and therefore unsafe to walk on. Defendant had superior knowledge regarding the condition of the floor.

8.

By not placing barriers, slippery floor signs or other devices, Defendant was the direct and proximate cause of Plaintiff's injuries. Defendant had superior knowledge regarding the condition of the unsafe floor.

9.

Defendant violated its duty to use reasonable care to protect Plaintiff from hazardous conditions on the premises, by its failure to establish and carry out regular and frequent

inspections for such conditions, by its failure to establish and carry out regular and frequent cleaning operations, by its failure to discover the foreign substance on the floor of the store prior to Plaintiff's fall, by its failure, after being informed of the foreign substance, to promptly remove the foreign substance from the floor or to warn Plaintiff of the hazard posed by this foreign substance, and by its failure to implement preventive measures designed to eliminate or reduce the danger posed by such condition.

10.

As a direct and proximate result of the Defendant's negligence, the Plaintiff fell on the floor at Defendant's place of business and sustained various injuries, to multiple body parts. In addition, as a result of the fall, Plaintiff has suffered both in body and mind.

11.

As a direct and proximate result of Defendant's breach of duty, Plaintiff has incurred expenses for medical and other care, including travel to and from her medical provider, and she anticipates continuing expenses for similar care in the future.

12.

As a direct and proximate result of Defendant's breach of duty, Plaintiff has suffered physical pain and mental and emotional anguish, and she expects to suffer similar pain and suffering in the future.

13.

As a direct and proximate result of Defendant's negligence, Plaintiff loss earnings. The total amount to be determined at the trial of this case.

14.

Plaintiff prays that she receives from the Defendant pre-judgment interest from the date

of filing this lawsuit until final judgment in this case.

WHEREFORE, Plaintiff respectfully prays for judgment against Defendant and requests that the court grant relief as follows:

- (1) Compensatory damages for past and anticipated expenses for medical and other care;
- (2) Compensatory damages for past and anticipated physical pain and mental and emotional anguish, loss earnings; and
- (3) Any other relief to which Plaintiff may be justly and properly entitled.

This 4th day of November 2020.

Respectfully submitted,

/S/ GRAYLIN C. WARD
GRAYLIN C. WARD
Georgia Bar No.736855

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